IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 13916 of 2004

Between:

1 D.A.Rao, E-457931, S/o Late Rama Swamy,
All are Drivers and Conductors working in the Corporation R/o

Maddilapalem, Visakhapatnam
2 Ch.A.Rao, E-455623, S/o Polisetty,
R/o Maddilapalem, Visakhapatnam
3 Ch.V.R.Krishna, E-457632, S/o Rama Rao,
R/o Maddilapalem, Visakhapatnam
4 A.K.Raju, E-455801, S/o Janakarama Raju,
R/o Maddilapalem, Visakhapatnam
5 V.Sreeramulu, E- 457622, S/o Varahalu,
R/o Maddilapalem, Visakhapatnam
6 V.N.Bhushanam, E-457662, S/o Satyanarayana,
R/o Maddilapalem, Visakhapatnam
7 G.G.S.Rao, E-457383, S/o Chinnaiah Dora,
R/o Maddilapalem, Visakhapatnam
8 T.S.Rao, E-457679, S/o Appala Swamy,
R/o Maddilapalem, Visakhapatnam
9 D.S.Raju, E-453404, S/o Late Satyanarayana Raju,
R/o Maddilapalem, Visakhapatnam

... PETITIONERS

AND

1 The APSRTC, rep.by its Vice Chairman & Managing Director, Musheerabad,

Hyderabad

2 The APSRTC, rep.by its Regional Manager, Visakhapatnam, Visakhapatnam

District

3 The APSRTC, rep.by its Depot Manager, Maddilapalem, Visakhapatnam

District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to the circular instructions and consequently set aside the same directing the respondents herein to add the stagnation increment to all the petitioners on completion of 12 years service and to pay the arrears from the date of entitlement to each petitioner in the interest of justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the Circumstances of the case.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondent No.: MR.Y.V.SWAMY

The Court made the following Order:

ORDER:

The petitioners are working as drivers and conductors in the respondent-corporation. They contend that after completion of 12 years of successful service in the respective categories, they are entitled for Selection Grade Stagnation increment, which has already remained due on different dates.

2. The grievance of the petitioners is that the respondents did not take any steps to release the Special Grade Stagnation increment to the petitioners; therefore they approached this Court seeking a direction to the respondents to pass appropriate orders regarding the Selection Grade Stagnation increment to them. Respondents did not deny the eligibility of the employees who have completed 12 years of continuous service for the Selection Grade Stagnation increment.

3. In the light of the circumstances, the respondents are directed to pass appropriate orders regarding the release of the Selection Grade Scale Stagnation increment to the petitioners, keeping in view the judgment of a Division Bench of this Court in Writ Appeal No.1301 of 2000 dated 29-10-2002, within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioners.

The Writ Petition is accordingly disposed of. No order as to costs.

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(DR. G.YETHIRAJULU, J)

August 9, 2004

Note:

Furnish copy in three days

(B/o)

MRR/SKM

To:

1 The Vice Chairman, APSRTC, & Managing Director, Musheerabad,

Hyderabad

2 The Regional Manager, APSRTC, Visakhapatnam, Visakhapatnam

District

3 The Depot Manager APSRTC, Maddilapalem, Visakhapatnam

District.

4 Two C.D. Copies.